

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 21038 of 2022

Dr. Archana Kanungo

....

Petitioner

*Mr. B.S. Tripathy, Adv.
Amicus Curiae*

-versus-

OPSC, Cuttack

....

Opp. Parties

Mr. Arnab Behera, Adv

CORAM:

DR. JUSTICE S.K. PANIGRAHI

ORDER

20.10.2022

**Order
No.**

07. 1.This matter is taken up through hybrid mode.
2. Heard.
3. In this writ petition, the petitioner challenges non-inclusion of her PPSAN number in the list of candidates called for verification of documents for selection to the post of Assistant Professors (Stage-I) Sociology in different Government Degree Colleges-2021 by the Opposite Parties. The petitioner who is also a National Level Taekwondo player recognized by Director of Sports, Government of Odisha. She has a brilliant Academic credentials with Master Degree in Sociology from Utkal University, M.phil Degree from Delhi

University and also holds Ph.D in 2017 with Institutional Research Fellowships in ICSSR in 2012 & 2014.

4. The grievance of the petitioner is that the OPSC vide its notification published as Notice No.9520/PSC dated 27.12.2021 published a list of candidates whose candidatures were rejected by it on scrutiny but the Petitioner's name does not figure in the said list of candidates whose applications have been rejected. Her PPSAN number have not been included in the list of candidates who have been called for verification of their documents scheduled to be made between 28.08.2022 to 02.0.2022 at Annexure-1. The petitioner being a sports woman and the said advertisement specifically prescribed 1% reservation for sports persons across all categories. However, her name could not be considered under sports category though she had filled up the form online but somehow the category could not be entered in due to some problems in the internet and got submitted without marking such category.

5. Learned counsel for the OPSC has demonstrated several other Forms where the sport person category are clearly visible, which means that there is some category and some sub-category like the sports person category in the application form. Somehow, the petitioner has failed

to enter in the said category or by some technical problem she might have encountered at the time of filing up the online application form. The achievements in the area of sports cannot be denied.

6. Since the petitioner has represented in sports at National Level and recognized by Director of Sports, Government of Odisha, and the State is wholeheartedly promoting sports persons belonging to different sports category and promotes sustainable employment opportunities. In this context, the petitioner should not have been deprived of her legitimate expectation from the State especially with respect to reservation prescribed under the sports category.

7. In such view of the matter, the petitioner's application may be considered sympathetically and be allowed for verification of documents. The OPSC is directed to fix a date inviting her for document verification. Considering the plight of the petitioner, this is an one time measure and shall not be treated as precedent in other cases.

8. Before parting, this Court records its appreciation for the valuable assistance rendered by Mr. B.S. Tripathy(1) to this court as court appointed counsel as the petitioner was earlier appearing-in-person.

9. Accordingly, this writ petition is disposed of.

10. Urgent certified copy of this order be granted on proper application.

SD



(Dr. S.K. Panigrahi)
Judge